

MAY 08 2006

OFFICE OF PETITIONS

[272] Attorney Docket No. : ADP-238

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Donald J. Ames, Ellen K. Brackman, and Donald L. Guile
 Serial No. : 10/738,425
 Filed : December 16, 2003
 For : CREEP RESISTANT ZIRCON REFRACTORY MATERIAL
 USED IN A GLASS MANUFACTURING SYSTEM
 Examiner : David R. Sample
 Group : 1755
 Date of mailing of Notice of Allowance and Fee(s) Due: April 20, 2005

Mail Stop 313(c)
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

PETITION UNDER (37 C.F.R. §1.313(c))
WITHDRAWAL FROM ISSUE--ISSUE FEE PAID

- Applicants petition that the above identified application be withdrawn from issue.

The issue fee was paid on April 20, 2005.

- Reason for withdrawal from issue:

Applicants seek withdrawal from issuance for consideration of a Request for Continued Examination (RCE) in compliance with §1.114, which is submitted herewith.

- Petition fee (37 C.F.R. § 1.17(h)):

Please charge Deposit Account No. 11-1158 in the amount of \$130.00. The Director is hereby authorized to charge any additional fees which may be required by this paper, or credit any overpayment, to Deposit Account No. 11-1158. A duplicate of this petition is attached.

Date: 5/8/06


 Maurice M. Klee, Ph.D.
 Reg. No. 30,399
 Attorney for Applicant
 1951 Burr Street
 Fairfield, CT 06430
 (203) 255-1400

05/09/2006 CKHLOK 00000010 111158 10738425
 01 FC:1464 130.00 DA

PTO/SB/21 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/738,425	FAX RECEIVED
Filing Date	December 16, 2003	MAY 08 2006
First Named Inventor	Ames	
Art Unit	1755	
Examiner Name	David R. Sample	OFFICE OF PETITIONS
Total Number of Pages in This Submission	30	Attorney Docket Number ADP-238

ENCLOSURES (Check all that apply)

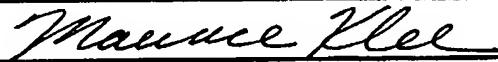
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<p>Remarks Date of mailing of Notice of Allowance and Fee(s) Due: April 20, 2005, 2005</p> <p>Attention: Mail Stop 313(c)</p> <p>Papers transmitted herewith:</p> <ol style="list-style-type: none"> Transmittal Form (PTO/SB/21; 1 page; this page) Petition Under 37 CFR §1.313(c) Withdrawal From Issue-Issue Fee Paid (1 page; 2 copies) Request for Continued Examination (RCE) Transmittal (PTO/SB/30; 1 page; 2 copies) Supplemental Information Disclosure Statement (with attached Exhibits A-C; 25 pages) 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Maurice M. Klee, Ph.D.		
Signature			
Printed name	Maurice M. Klee, Ph.D.		
Date	May 8, 2006	Reg. No.	30,399

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Maurice M. Klee, Ph.D.	Date	May 8, 2006

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.